



US Army Corps  
of Engineers  
Seattle District

# Public Notice of Application for Permit

Regulatory Branch  
Post Office Box 3755  
Seattle, Washington 98124-3755  
Telephone (206) 764-3495  
ATTN: Joe Brock, Project Manager

Public Notice Date: August 15, 2006  
Expiration Date: September 13, 2006  
Reference: 200600337  
Name: Drummond, Darrell

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Interested parties are hereby notified that all or a portion of the work as described below and shown on the enclosed drawings was performed without specific authorization under Section 404 of the Clean Water Act. U.S. Army Corps of Engineers (Corps) permit regulations (33 CFR 320-330) allow District Engineers to make a determination of whether the activity is contrary to the public interest.

APPLICANT: Mr. Darrell Drummond  
404 West Pine #6  
Lodi, California 95240  
Telephone: (209) 327-5813

LOCATION: In wetlands at 17724 West Big Lake Boulevard near Big Lake, Skagit County, Washington.

WORK: Retain unauthorized fill in forested wetlands and place additional fill in wetlands for the construction of a private road (0.21 acres of wetland fill).

PURPOSE: Provide access to private property.

ADDITIONAL INFORMATION: The landowner performed mechanized land clearing and placed dredged or fill material in forested wetlands to construct a road and to install buried utilities without benefit of a Department of the Army permit. The landowner proposes to retain the fill placed in wetlands for the road and place additional fill in wetlands (0.21 acres total) in order to replace and/or improve improperly installed culverts. The landowner cleared and installed buried utility lines in 0.23 acres of forested wetland. The landowner proposes to retain the utility lines in-place. The landowner propose to remove two unnecessary culverts within the utility line corridor and to fully restore the forested wetlands impacted by the installation of utilities.

The project does not qualify for a Nationwide Permit (NWP). Seattle District NWP Regional General Conditions prohibit the use of NWPs (with exceptions) in mature forested wetlands (U.S. Army Corps of Engineers, Seattle District. *Special Public Notice*, July 23, 2002).

MITIGATION: The landowner proposes on-site mitigation. The proposed conceptual mitigation for the road construction includes enhancement of existing forested wetlands. The landowner also proposes to fully restore the forested wetlands impacted by the installation of utilities.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The following species and/or their critical habitat, listed in the

state of Washington, may occur in the project area: bald eagle (*Haliaeetus leucocephalus*), threatened; marbled murrelet (*Brachyramphus marmoratus*), threatened; northern spotted owl (*Strix occidentalis*), threatened; Puget Sound Chinook salmon (*Oncorhynchus tshawytscha*), threatened; Coastal/Puget Sound bull trout (*Salvelinus confluentus*), threatened; and Puget Sound steelhead (*Oncorhynchus mykiss*), which are proposed for listing as endangered. A preliminary determination indicates that the activity would have no effect on these species or their critical habitat due to these species lack of access to or use of the project site.

**ESSENTIAL FISH HABITAT:** The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The U.S. Army Corps of Engineers has determined that the proposed action would not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

**CULTURAL RESOURCES:** The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. Retaining the existing work plus the new work is of a limited nature and extent and has little likelihood to impinge upon any unrecorded historic properties. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

**EVALUATION:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

200600337

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternative analysis for any proposed discharge of dredged or fill material into waters of the United States.

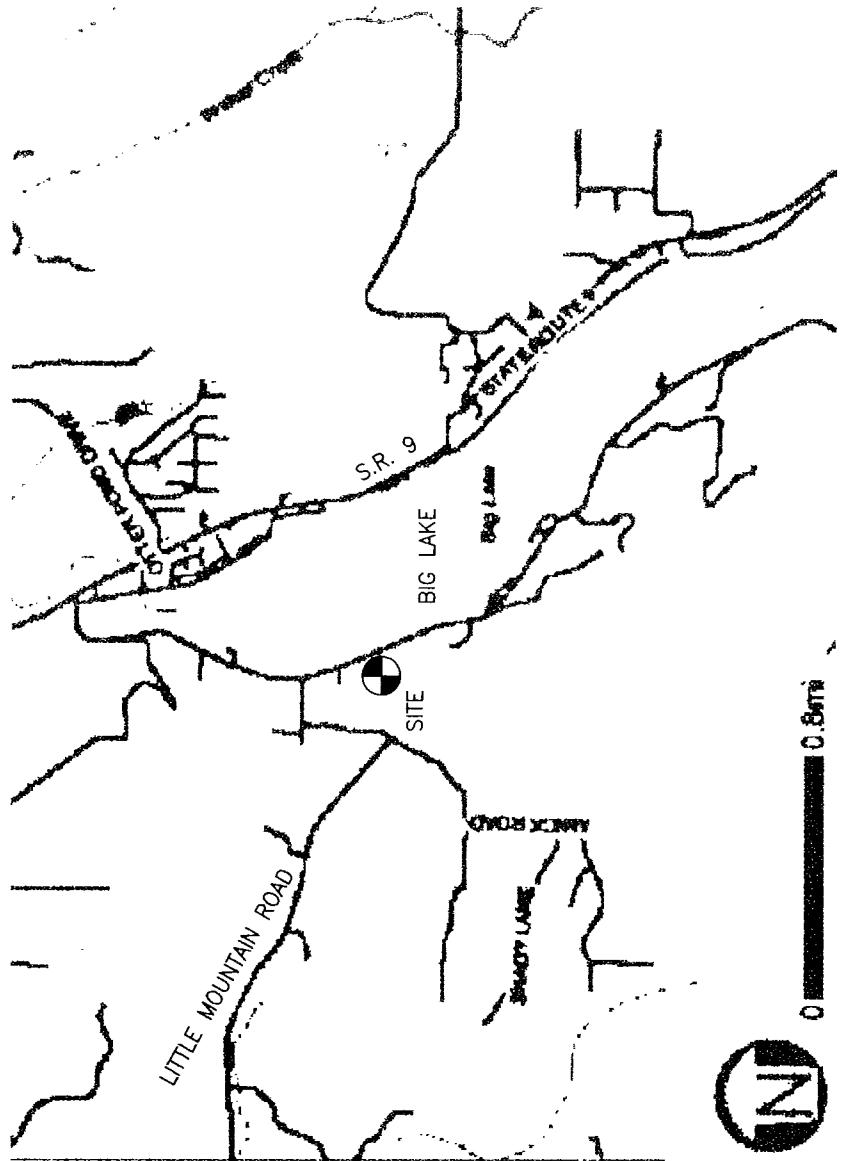
ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to [Joseph.W.Brock@usace.army.mil](mailto:Joseph.W.Brock@usace.army.mil). Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Drummond, Darrell, 200600337

Encl  
Drawings (11)

VICINITY MAP



REF: 200600337

PROPERTY OWNERS: Darrell & Candice Drummond  
SITE LOCATION: 17724 W. Big Lake Blvd.  
CITY: Mount Vernon, Washington 98274  
COUNTY: Skagit County, Washington  
  
LATITUDE: 48°23'20" N  
LONGITUDE: 122°14'50" W  
SW 1/4 Sec. 36, T. 34 N., R. 4 E.W.M.  
USGS QUAD: Sedro Woolley South

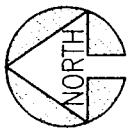
ADJACENT PROPERTY OWNERS:  
P62062 - Tim & Sienna Ackerman, 17732 W. Big Lake Blvd.,  
Mount Vernon, WA 98274  
P62063 - Same as P62062  
P29824 - James Lohman c/o Delores Lohman, 16821 Britt Road,  
Mount Vernon, WA 98273

P29809 - Ray & Patsy Melton, 22850 Little Mountain Road,  
Mount Vernon, WA 98274  
P62060 - Laila Dahl, 17662 W. Big Lake Blvd., Mount Vernon, WA 98274  
P62059 - Garrick Sager, 17643 W. Big Lake Blvd., Mount Vernon, WA 98274

DATE: 8-3-06  
PAGE 1 of 11  
JARPA  
SUBMITTAL  
Drawing Revision

PLAN

Scale: 1" = 200' Bar Scale Feet 250



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USGS QUAD: Sedro Woolley South

ADJACENT PROPERTY OWNERS:  
P62062 - Tim & Sienna Acke

SITE MAP

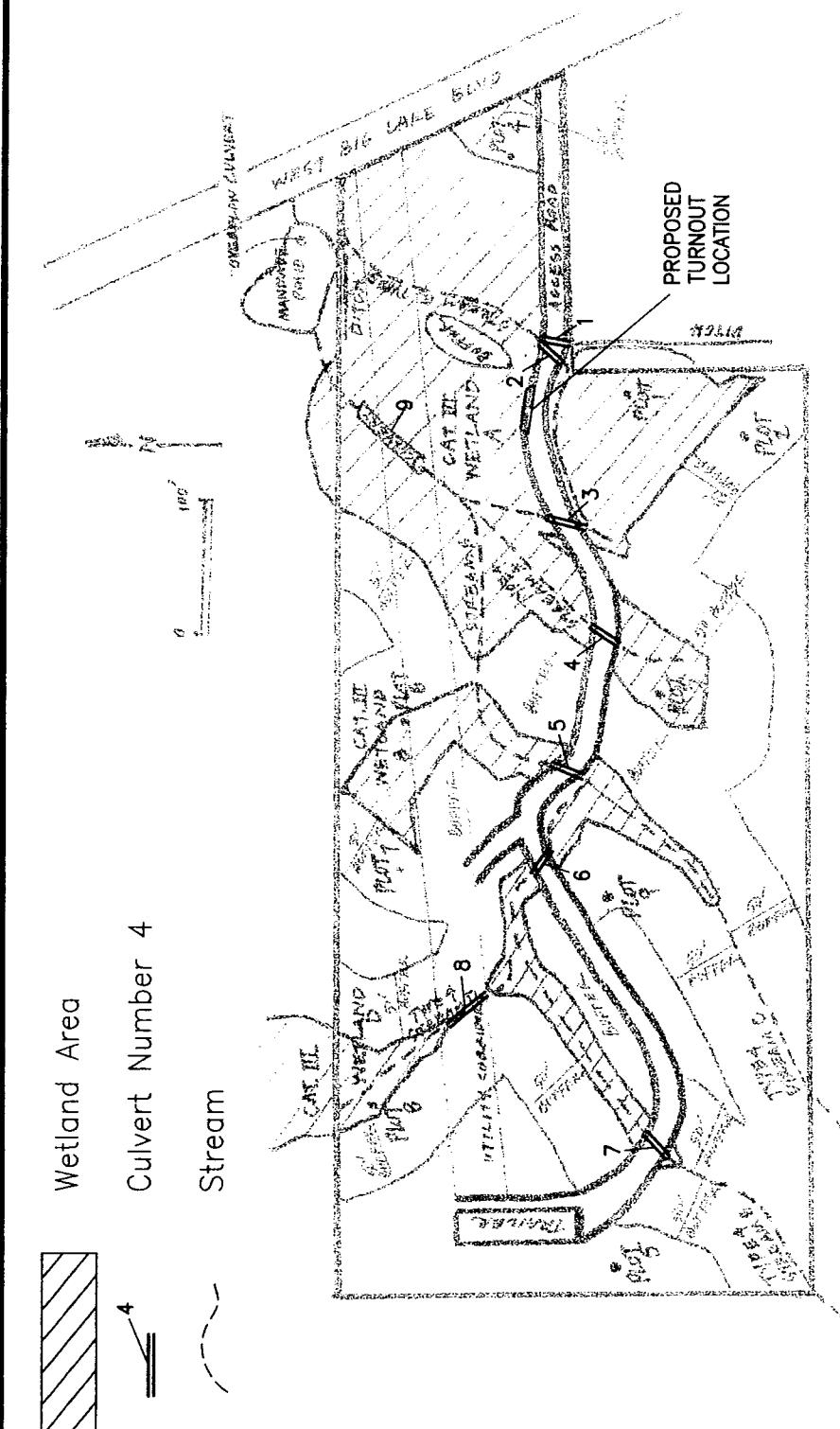
DATE: 8-3-06  
PAGE 2 of 11

**JARPA**  
**SUBMITTAL**

Drawing Revision

P62060 - Laila Dahl, 17662 W. Big Lake Blvd., Mount Vernon, WA 98274  
P124621 - Garrick Sager, 17643 W. Big Lake Blvd., Mount Vernon, WA 98274

## WETLAND DELINEATION MAP

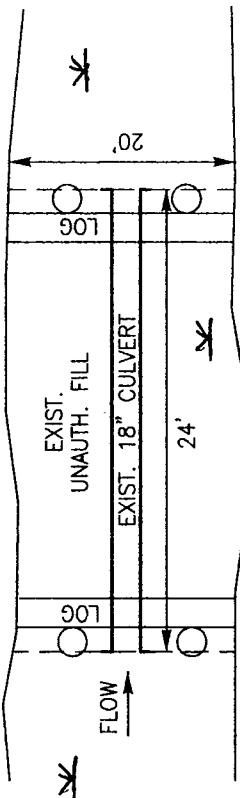


PROPERTY OWNERS: Darrell & Candice Drummond  
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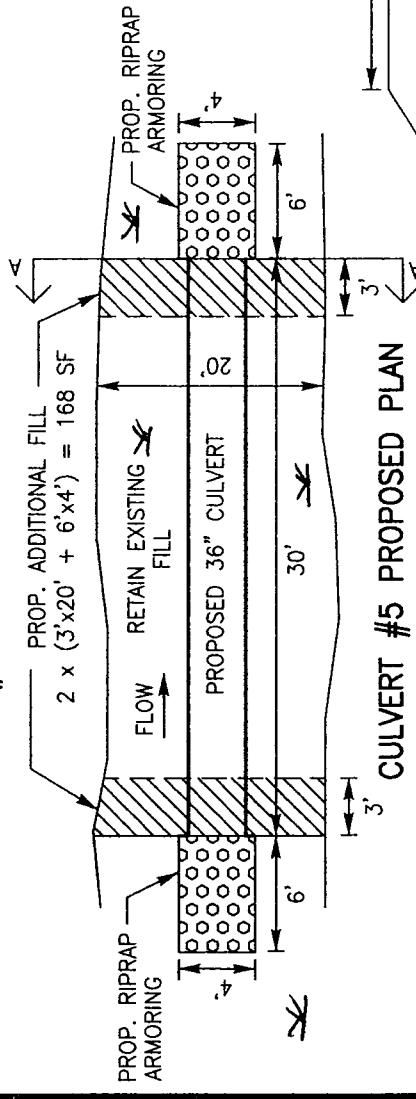
1. Replace Existing 18" Culverts 5 & 6 with 36" Culverts per Details
2. Add Rip Rap Armoring to Culverts 1-4 & 7 per Detail.
3. Remove Culverts 8 & 9 and Restore Stream Channels per Details.
4. Install Turnout on Existing Road Fill in Location Recommended Onsite by Leah Forbs of Skagit County. No Additional Filling of Wetlands Required for Turnout.

DATE: 8-3-06  
 PAGE 3 of 11

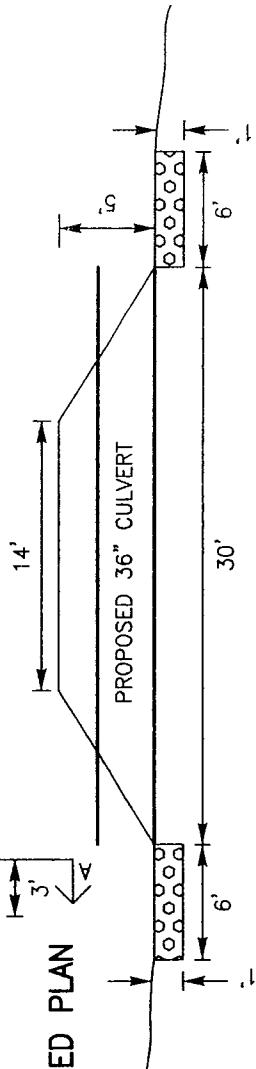
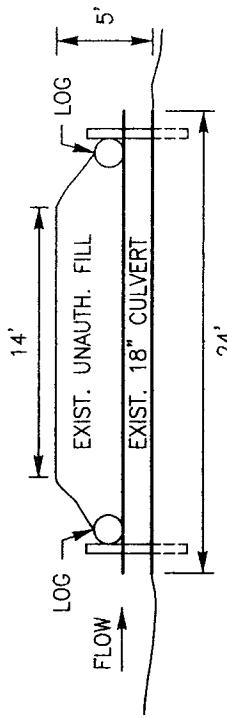
JARPA  
 SUBMITTAL  
 Drawing Revision



**CULVERT #5 EXISTING PLAN**



**CULVERT #5 EXISTING PROFILE**

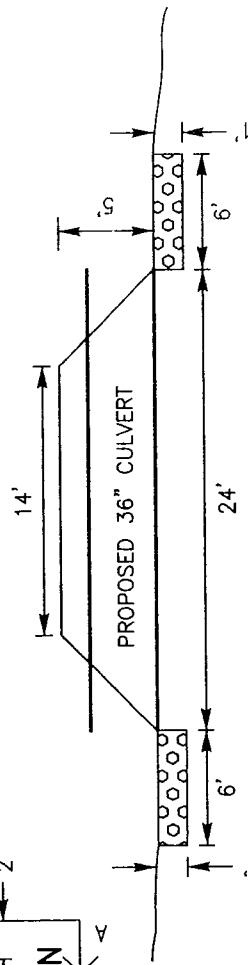
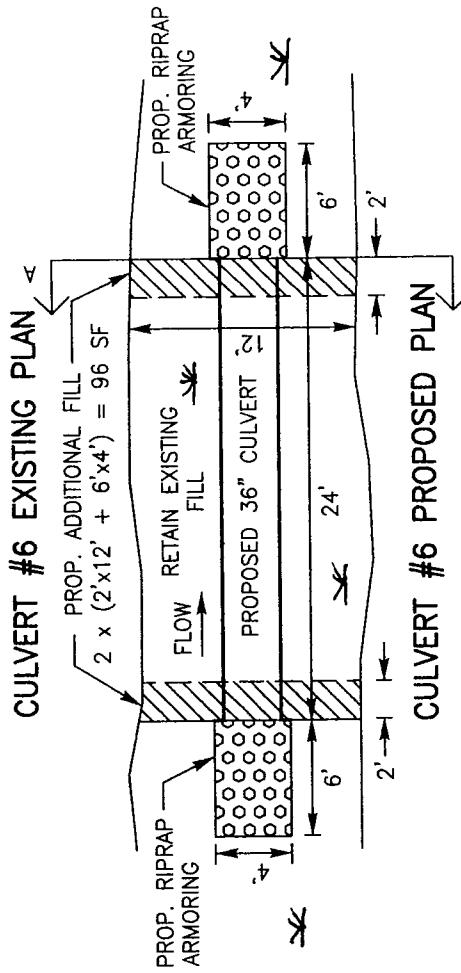
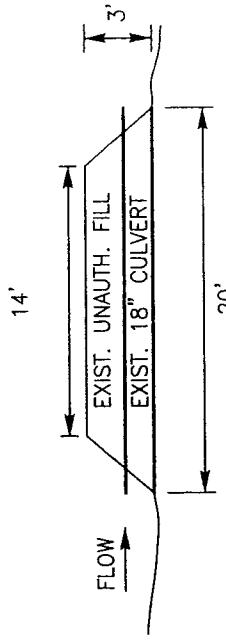
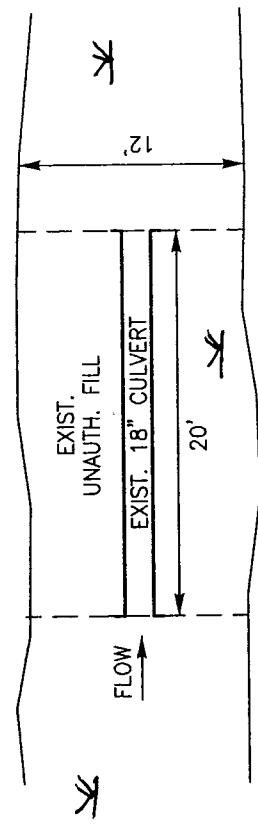


REF: 200600337

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USGS QUAD: Sedro Woolley South

**CULVERT #5 DETAILS**

DATE: 8-3-06  
PAGE 4 of 11  
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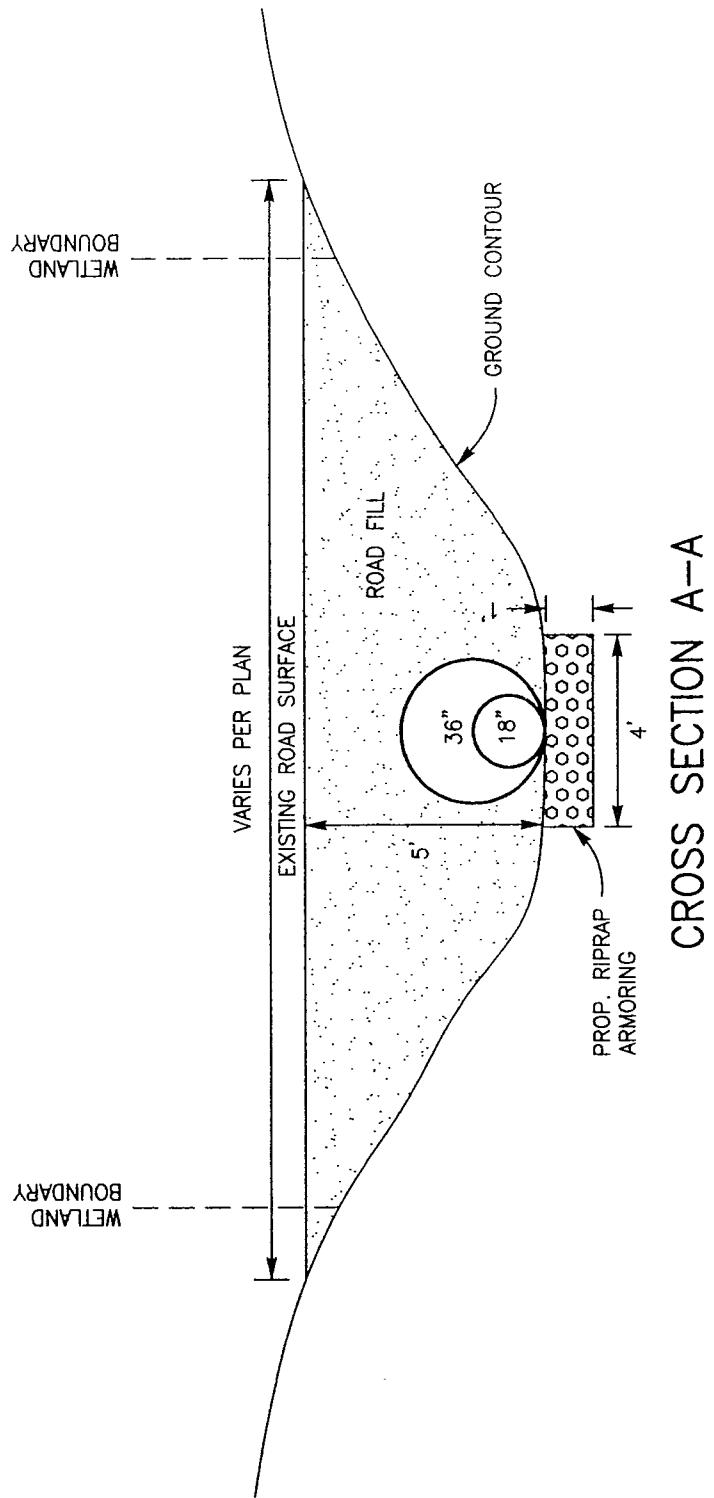


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SW 1/4 Sec. 36, T. 34 N., R. 4 E.W.M.  
USGS QUAD: Sedro Woolley South  
WETLAND =

**CULVERT #6 DETAILS**

DATE: 8-3-06  
PAGE 5 of 11  
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Drawing Revision



REF: 200600337

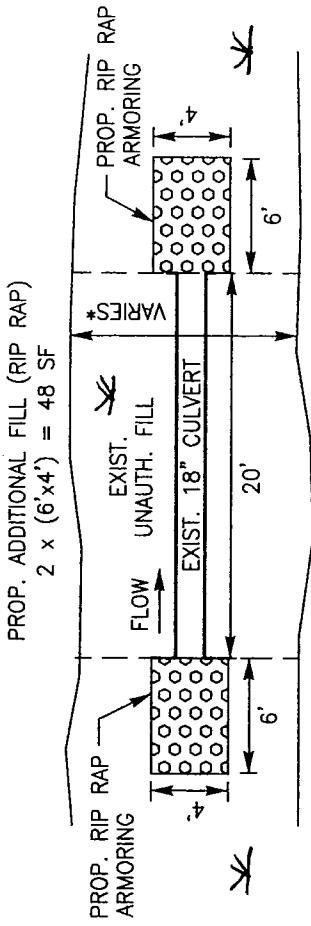
PROPERTY OWNERS: Darrell & Candice Drummond  
 SITE LOCATION: 17724 W. Big Lake Blvd.  
 CITY: Mount Vernon, Washington 98274  
 COUNTY: Skagit County, Washington

LATITUDE: 48°23'20" N  
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 USGS QUAD: Sedro Woolley South

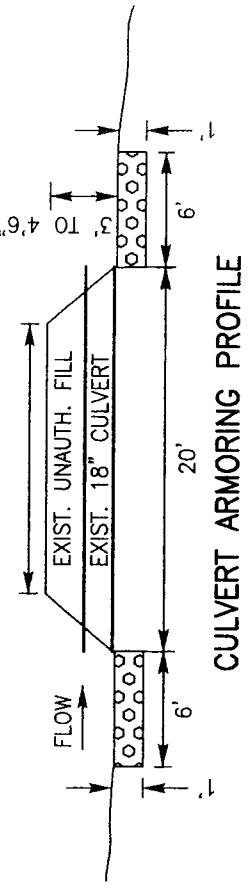
DATE: 8-3-06  
 PAGE 6 of 11

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CULVERT #5 & 6  
 CROSS SECTION



\* CROSSING WIDTHS  
 CULVERT 1 = 8'  
 CULVERT 2 = 8'  
 CULVERT 3 = 10.5' AVERAGE  
 CULVERT 4 = 5.5' AVERAGE  
 CULVERT 7 = 21'



REF: 200600\_337

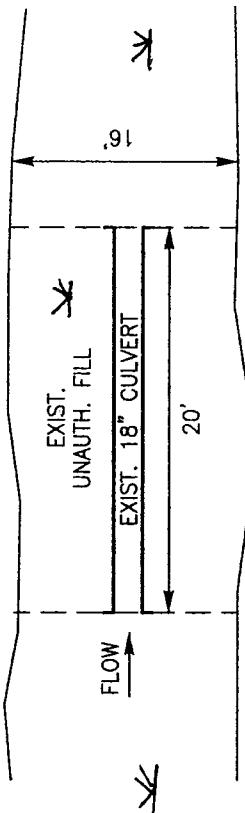
PROPERTY OWNERS: Darrell & Candice Drummond  
 SITE LOCATION: 17724 W. Big Lake Blvd.  
 CITY: Mount Vernon, Washington 98274  
 COUNTY: Skagit County, Washington  
 LATITUDE: 48°23'20" N  
 LONGITUDE: 122°14'50" W  
 SW 1/4 Sec. 36, T. 34 N., R 4 E.W.M.  
 USGS QUAD: Sedro Woolley South

1. REMOVE ALL LOGS AND WOODY DEBRIS USED TO CONSTRUCT EXISTING CULVERT.
3. RETAIN EXISTING FILL.
4. INSTALL RIP RAP ARMORING AT INLET AND OUTLET.

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Drawing Revision

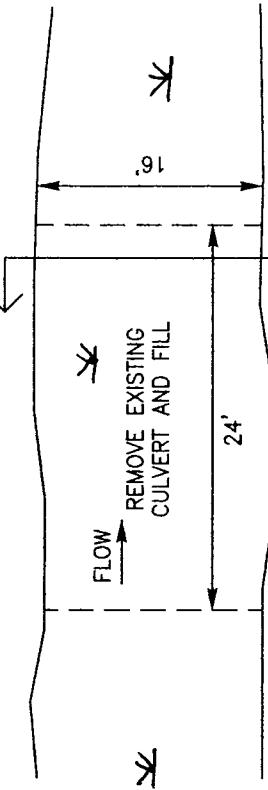
CULVERT ARMORING DETAIL  
CULVERTS 1-4 & 7

DATE: 8-3-06  
PAGE 7 of 11



CULVERT #8 EXISTING PLAN

PROP. REMOVED FILL  
20' x 16' = 320 SF

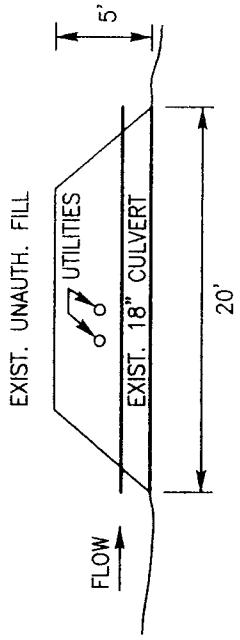


CULVERT #8 PROPOSED PLAN

REF: 200600337  
WETLAND

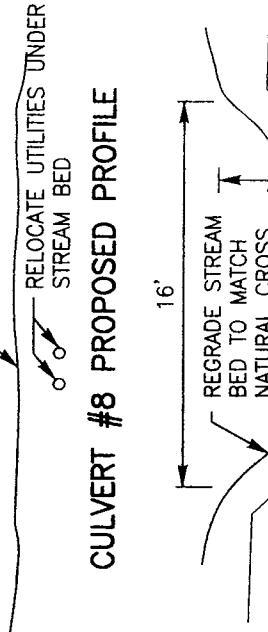
PROPERTY OWNERS: Darrell & Candice Drummond  
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USGS QUAD: Sedro Woolley South

1. REMOVE ALL LOGS AND WOODY DEBRIS USED TO CONSTRUCT EXISTING CULVERT.
2. REMOVE EXISTING 18" CULVERT.
3. REMOVE EXISTING UNAUTHORIZED FILL.
4. SPLICE UTILITY LINES AND RUN UNDER STREAM BED.
5. REGRADE STREAM BED TO MATCH NATURAL CONDITION.



CULVERT #8 EXISTING PROFILE

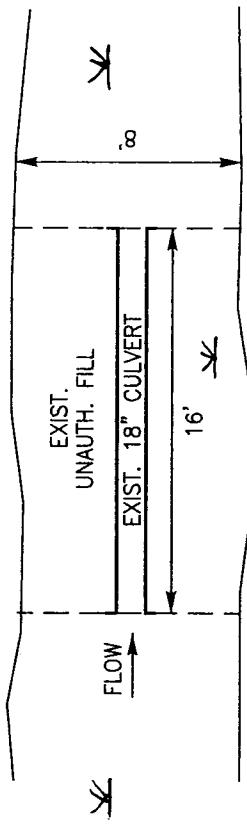
REGRADE STREAM BED TO  
MATCH NATURAL CONDITION



CULVERT #8 PROPOSED PROFILE  
CULVERT #8 PROPOSED CROSS SECTION B-B

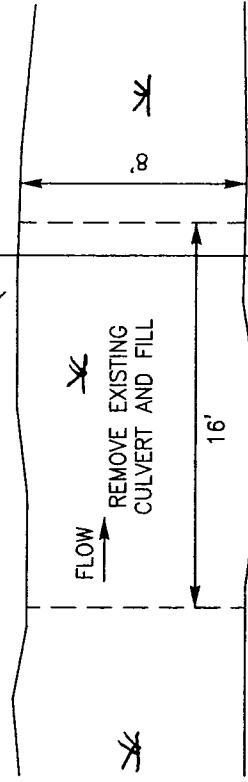
DATE: 8-3-06  
PAGE 8 of 11  
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Drawing Revision

CULVERT 8 REMOVAL &  
STREAM RESTORATION DETAILS



CULVERT #9 EXISTING PLAN

PROP. REMOVED FILL  
 $8' \times 16' = 128 \text{ SF}$



CULVERT #9 PROPOSED PLAN

REF: 200600337

PROPERTY OWNERS: Darrell & Candice Drummond  
SITE LOCATION: 17724 W. Big Lake Blvd.  
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USGS QUAD: Sedro Woolley South

WETLAND

CULVERT #9 EXISTING PROFILE

EXIST. UNAUTH. FILL  
EXIST. 18" CULVERT  
EXISTING UTILITIES  
16'

FLOW

REGRADE STREAM BED TO MATCH NATURAL CONDITION

CULVERT #9 PROPOSED PROFILE

EXISTING UTILITIES  
REGRADE STREAM BED TO MATCH NATURAL CROSS SECTION  
8'  
2'

FLOW

REGRADE STREAM BED TO MATCH NATURAL CONDITION

CULVERT #9 PROPOSED CROSS SECTION B-B

CULVERT #9 PROPOSED CROSS SECTION B-B

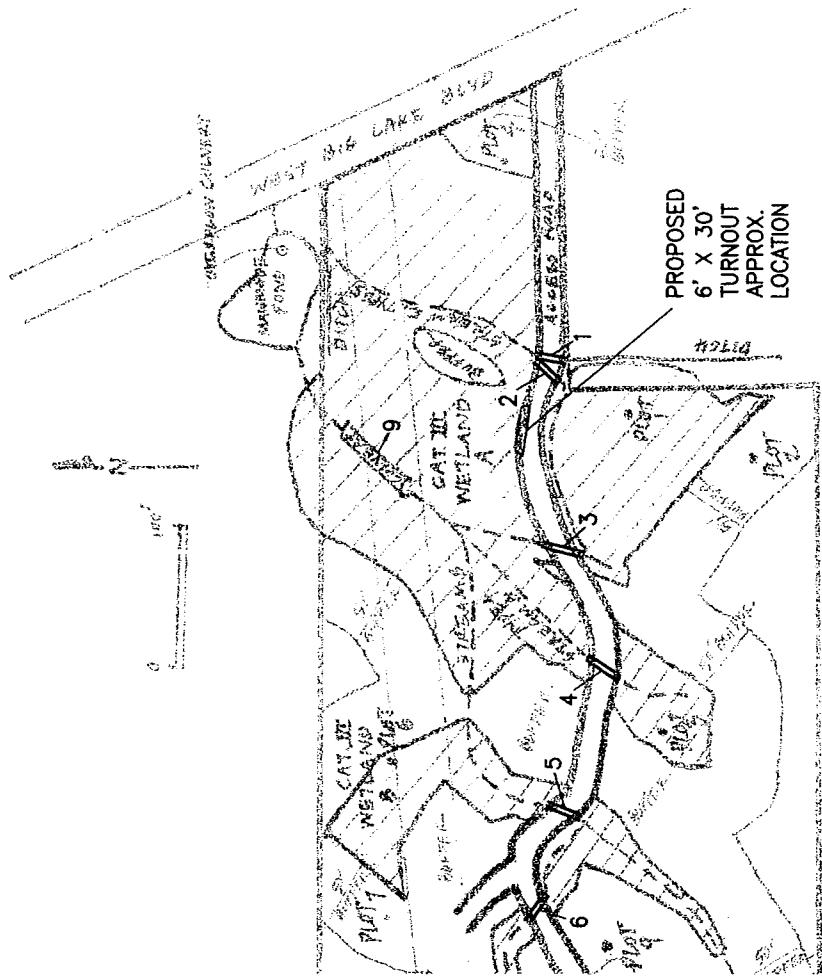
DATE: 8-3-06  
PAGE 9 of 11

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CULVERT 9 REMOVAL &  
STREAM RESTORATION DETAILS

## PROPOSED TURNOUT MAP

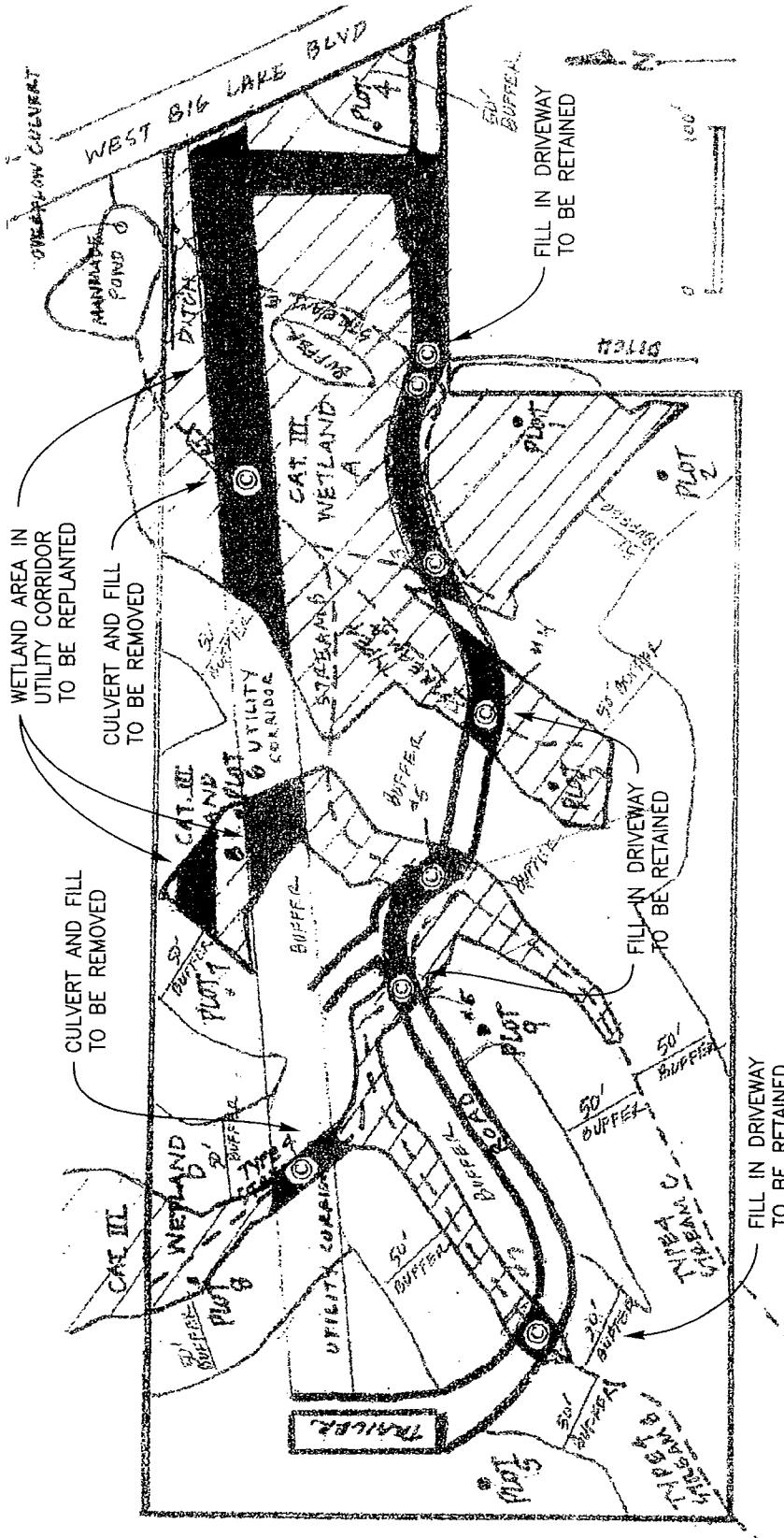
DATE: 8-3-06  
PAGE 10 of 11  
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Drawing Revision



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USGS QUAD: Sedro Woolley South

## FILL AREAS MAP



REF: 200600337

PROPERTY OWNERS: Darrell & Candice Drummond  
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 USGS QUAD: Sedro Woolley South

= Wetlands  
 = Stream  
 = Culvert  
 ○ = Unauthorized Fill

DATE: 8-3-06  
 PAGE 11 of 11  
**JARPA SUBMITTAL**  
 Drawing Revision



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600  
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Notice of Application for  
Water Quality Certification  
and for  
Certification of Consistency with the  
Washington Coastal Zone Management Program

Date: August 15, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200600337 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator  
Department of Ecology  
SEA Program  
Post Office Box 47600  
Olympia, Washington 98504-7600